



OLR RESEARCH REPORT

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STATISTICS ON THE COMMISSION OF CERTAIN FELONIES WITH A FIREARM

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You asked for statistics on (1) how many inmates are incarcerated and serving a sentence after being convicted of committing a class A, B, or C felony with a firearm ([CGS § 53-202k](#)) and (2) the charges under this statute and their disposition.

SUMMARY

According to the Department of Correction, as of February 6, 2013, 85 inmates were incarcerated and serving a sentence that included a conviction for committing a class A, B, or C felony with a firearm ([CGS § 53-202k](#)).

Based on information from the Judicial Branch, we compiled statistics for the last 10 years on charges and their disposition under this statute (see Table 1, below). In this timeframe, there was an average of 13.2 offenses per year, ranging from five to 22 a year.

COMMISSION OF A CLASS A, B, OR C FELONY WITH A FIREARM

By law, anyone convicted of committing a class A, B, or C felony and using, threatening to use, displaying, or purporting to have a firearm other than an assault weapon must be sentenced to a mandatory, minimum five-year sentence.

This sentence is in addition and consecutive to any imprisonment for the felony. (Another statute punishes using an assault weapon in these circumstances ([CGS § 53-202j](#)).)

Table 1 provides the number of charges under this statute for the last 10 years. The data is based on individual charges disposed by the courts, not individual cases. An individual may (1) be charged with multiple offenses in the same case and (2) have multiple cases during a year.

Offenses can be disposed of in a number of ways. Because an individual is often charged with multiple offenses in the same case, some charges might be dismissed or nolle (the prosecutor declines to prosecute the charge) as part of an agreement to plead guilty to other charges. For example, if an individual was charged under [CGS § 53-202k](#) and another crime, then worked out a plea deal that did not include the felony with a firearm charge, the charge under [CGS § 53-202k](#) would be categorized as a dismissal. We do not have data on individual cases or the effect of plea bargaining on charges.

Table 1: [CGS § 53-202k](#) Outcomes for Last 10 Years

Year	Offenses	Guilty	Not Guilty	Nolled	Dismissed
2012	22	10	1	11	-
2011	6	1	-	5	-
2010	19	5	-	13	1
2009	5	1	-	4	-
2008	8	2	-	4	2
2007	7	2	-	5	-
2006	17	1	-	16	-
2005	22	5	-	16	1
2004	13	-	3	8	2
2003	13	1	-	12	-

Source: Judicial Branch

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